

481-063641(391)

#25017

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

DANUTA WOZNIAK, Individually and as)	
Special Administrator of the ESTATE of)	
JAN WOZNIAK, deceased)	
)	Civil Action No: 08 CV 1361
Plaintiff,)	Judge Lefkow
)	Magistrate Judge Denlow
vs.)	
)	
WYNDHAM HOTELS AND RESORTS, LLC)	
a foreign corporation)	
Defendant.)	

MOTION FOR EXTENSION OF TIME

NOW COME the Defendant, WYNDHAM HOTELS AND RESORTS, LLC, by and through its attorneys, Pretzel & Stouffer, Chartered, and respectfully requests an extension of time to file its Answer or otherwise plead to to Plaintiff's Complaint. In support hereof, the Defendant states as follows:

1. On February 6, 2008, this Defendant, WYNDHAM HOTELS AND RESORTS, LLC (hereafter referred to as "WHR") was served with process and a Complaint by Plaintiff. The Complaint, which was filed in the Circuit Court of Cook County, alleged claims under the Wrongful Death Act, the Survival Act, and a loss of consortium claim for the alleged fall and death of Jan Wozniak on October 16, 2007 in Cozumel, Mexico.

2. On March 6, 2008, this Defendant, WHR filed a Notice of Removal to Federal Court, under diversity jurisdiction.

3. That pursuant to Rule 81 (c) of the Federal Rules of Civil Procedure, WHR is required to file its Answer or otherwise plead by March 11, 2008.

4. That this Defendant, WHR, is attempting to obtain investigative materials, accident reports, and documentation pertaining to the accident which occurred in Mexico, involved a hotel owned by a Mexican entity, and operated by non-employees of WHR. That despite its best efforts, this Defendant, WHR, is not able to obtain the investigative materials and necessary documentation to enable it to Answer or otherwise plead by March 11, 2008.

5. That this Defendant, WHR, believes that it can obtain the requisite documentation to file an Answer or otherwise plead on or by, April 1, 2008, which is 21 days after the due date of March 11, 2008.

6. That the extension of time would not delay any trial, and would not prejudice the rights of any party.

Wherefore, the Defendant, WYNDHAM HOTELS AND RESORTS, LLC, respectfully requests an extension of twenty-one (21) days for filing its Answer or otherwise plead, on or by April 1, 2008, and for any further relief this court deems just.

Respectfully submitted:

By: /s/ Amy J. Thompson
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One of the attorneys for Defendant

CERTIFICATE OF SERVICE

The undersigned being first duly sworn on oath, certifies that the Defendant's Motion for an Extension of Time was filed electronically this 10th day of March, 2008. Notice of this filing has been faxed to all parties of record to whom it is directed below. Parties may access this filing through the Court's electronic system.

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